

REMARKS

This application has been reviewed in light of the Office Action dated October 28, 2006. Claims 1, 4 -8, 11-15 and 18-22 are presented for examination, of which Claims 1, 8, and 15 are in independent form, and have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1, 4-8, 11-15 and 18-22 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patents 6,266,693 (Onaga) and 6,622,157 (Heddaya et al.), taken in combination.

The aspects of the present invention to which the respective independent claims are directed have been discussed in some detail in previous papers, and it is not believed to be necessary to repeat that discussion in full detail. Applicant wishes to emphasize that, among other notable features of an apparatus constructed according to Claim 1, is:

“control means, for permitting said display means to display, in accordance with the tree list, the specific objects detected by said detection means, such that *the first specific object is displayed in the tree list in preference to the second specific object if a number of other information processing apparatuses which exist between the first peripheral device and said information processing apparatus is smaller than a number of other information processing apparatuses which exist between the second peripheral device and said information processing apparatus* [emphasis added].”

The control means, thus, effect a preferential display of the first specific object as against the second specific object in a case where a smaller number of other information processing apparatuses exist between the first peripheral device and the information

processing apparatus than exist between the second peripheral device and the information processing apparatus. See Fig. 5 for an example of such display.^{1/}

Onaga relates to a technique of device controlling by means of a tree, as illustrated in Fig. 9. The Office Action states, and Applicant agrees, that *Onaga* does not suggest any means for effecting a preferential display, as is done by the control means recited in Claim 1.

Heddaya relates to a system including a primary server node, an intermediate node, a secondary server node, a first client node and a second client node. The primary server node, in response to a request for a document from the first client node, stores the document in the secondary server node through the intermediate node. When the intermediate node detects a request from the second client node to the primary server node, the intermediate node redirects the request to the secondary server node. The portion specifically cited by the Examiner in support of the outstanding rejection, col. 3, line 65, to col. 4, line 4, states:

“By distributing the work of servicing requests to one or more secondary server nodes within the network, the work of servicing requests that are intercepted on their way to the primary server node is offloaded from the primary server node. *The secondary server nodes are preferably closer to the client nodes (by number of hops and distance) such that response time is faster, and less network traffic is created. [emphasis added]*”

Even if the description in this passage suggests that it is preferable that the number of apparatuses which exist between the secondary server node and the second client node is small, Applicant respectfully points out that that does not in any way suggest *preferentially*

^{1/} It is of course to be understood that the claim scope is not limited by the details of this or any other particular embodiment that may be referred to.

displaying one rather than the other of the client nodes, or one rather than the other of the server nodes. For that matter, neither this passage nor anything else found or pointed out in *Heddaya* provides any suggestion relating to display at all.

Even assuming for argument's sake that the proposed combination of *Onaga* and *Heddaya* would be a proper one, the result of such combination would apparently display information in exactly the same way as is done in the *Onaga* system. There is simply nothing in *Heddaya* that provides any reason at all to modify the *Onaga* method of display, much less to effect a preferential display of one apparatus as against another, as recited in Claim 1.

For at least this reason, Claim 1 is believed to be clearly allowable over *Onaga* and *Heddaya*, taken separately or in any permissible combination (if any).

Independent Claims 8 and 15 are method and program claims, respectively, corresponding to apparatus Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Leonard P Diana/
Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 612835v1